

**ANNUAL REPORT
OF THE
CENSUS DATA ADVISORY COMMITTEE**



**Indiana Legislative Services Agency
200 W. Washington Street, Suite 301
Indianapolis, Indiana 46204**

October, 2005

INDIANA LEGISLATIVE COUNCIL

2005

Senator Robert Garton

Chairman

Columbus

Speaker Brian Bosma

Vice-Chairman

Indianapolis

Senator Richard Young

Milltown

Representative B. Patrick Bauer

South Bend

Senator James Merritt, Jr.

Indianapolis

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Macy

Senator Patricia Miller

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Representative Kathy Richardson

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Senator Earline Rogers

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Representative Russell Stilwell

Boonville

Philip J. Sachtleben
Executive Director
Legislative Services Agency

CENSUS DATA ADVISORY COMMITTEE

Membership Roster

Senators

Connie Lawson, Chairperson
Danville

Sue Landske
Cedar Lake

Allie Craycraft
Selma

Billie Breaux
Indianapolis

Representatives

Thomas Kromkowski
South Bend

Kathy Richardson
Noblesville

Robert Behning
Indianapolis

Ed Mahern
Indianapolis

Staff

Robert Rudolph
Attorney for the Committee

Chris Baker
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES

The responsibilities of the Census Data Advisory Committee are found in IC 2-5-19-19 which reads as follows:

"Sec. 19. The committee shall do the following:

(1) Advise and assist the Bureau of the Census in the preparation and organization of decennial census data for use by the general assembly in reapportioning the following:

(A) The house of representatives of the general assembly.

(B) The senate of the general assembly.

(C) The United States House of Representatives.

(2) Work with the Bureau of the Census in defining the boundaries of census blocks in Indiana.

(3) Coordinate Indiana's efforts to obtain an accurate population count in each decennial census.

(4) Work with other state and federal agencies to assist in the local review program conducted in Indiana.

(5) Work with the code revision commission to prepare legislation for introduction in the regular session of the general assembly that meets during the year of the effective date of the decennial census under IC 1-1-3.5 to propose amendments to Indiana law to reflect the population information obtained as a result of the decennial census.

(6) Study costs and other relevant aspects of acquisition by the state of a geographic information system.

(7) Make recommendations concerning changes or amendments to IC 3 (the elections code) to the general assembly, including legislation for the implementation and administration of the Help America Vote Act of 2002 (42 U.S.C. 15301 through 15545).".

The Legislative Council assigned the following additional topic to be considered by the Committee:

The effectiveness of state election commission structure (SB 500 Amendment).¹

1. See LEGISLATIVE COUNCIL RESOLUTION 05-01, SECTION 3 (Adopted June 16, 2005).

II. INTRODUCTION

The Committee met during the 2005 Interim to consider election law issues raised by the Indiana Election Division and the topic assigned by the Legislative Council.

III. SUMMARY OF WORK PROGRAM

The Committee met on August 16, September 6, October 5, and October 19. The Committee heard information presented by the Indiana Election Division and interested parties regarding various aspects of election law, including the topic assigned by the Legislative Council.

At the August meeting, the Committee reviewed a proposal requiring the dissolution of a candidate's committee of a deceased candidate. The Committee also heard information relating to proposed technical and other changes in Indiana election law and began discussion of the policy for counting provisional ballots. The Committee discussed a problem that had been discovered in legislation from the 2005 Session that extended the deadline for certifying election results.

At the September meeting, the Committee received information about a presentation from representatives from the Census Bureau scheduled to be given at the Committee's final meeting of the year. The Committee continued its discussion of provisional ballots and began review of proposed bill drafts. The Committee also received information relating to election administration in other states.

At the October 5 meeting, the Committee received additional information relating to election administration in other states and began the discussion of the topic assigned by the Legislative Council. The Committee continued review of proposed bill drafts and revisions of previously reviewed drafts.

At the October 19 meeting, the Committee heard a presentation from representatives from the Census Bureau, gave final consideration to bill drafts, and adopted this annual report.

IV. SUMMARY OF TESTIMONY²

The Committee heard testimony from Senator Rose Antich-Carr, staff of the Election Division, a representative of Common Cause of Indiana, a representative of the Indiana Association of County Clerks, representatives of the United States Census Bureau, and other individuals.

Brad King and Kristi Robertson, both Co-Executive Directors of the Election Division, sent a memorandum to the Chair before the first meeting outlining the proposals for amendments to election law. This memorandum was shared with other Committee members and was incorporated as an exhibit to the minutes of the first meeting. At the first meeting, Senator Antich-Carr discussed the importance of having a procedure to wind up the affairs of a candidate's committee of an individual who dies or who is barred from seeking or holding an elective office due to conviction of a felony. Mr. King, Ms. Robertson, and Dale Simmons and Cody Kendall, both of latter Co-General Counsels of the Election Division, provided information about proposed bill drafts and answered technical and administrative questions that arose during the course of the meetings.

Ms. Julia Vaughn represented the views of Common Cause of Indiana on topics as requested by the Chair. She also represented her organization's views on issues relating to provisional ballots and election administration.

Ms. Linda Phillips, who is Tippecanoe County Circuit Court Clerk and also represented the Indiana Association of County Clerks, provided information relating to the number of provisional ballots cast during the 2004 general election. Ms. Phillips also provided a circuit court clerk's perspective on issues relating to administration of provisional ballots.

The Committee heard Ms. Cathy McCully, Chief of the Census Redistricting Data Office of the U.S. Census Bureau, and Mr. Al Pfieffer, Chief, Local Geographic Partnership Branch, U.S. Census Bureau. Ms. McCully gave a historical overview of the federal redistricting data program, reviewed the purposes of the block boundary suggestion program and the voting district project, discussed the time line for providing 2010 Census data to the states, and outlined the evaluation process that occurs after a decennial census. Mr. Pfieffer discussed technical issues relating to the format of geography files, local update of census addresses, local government review of geography, the Boundary and Annexation Survey, and the Statistical Areas Program.

2. For more detail regarding the testimony, the reader may consult the minutes of the Committee's meetings at the General Assembly homepage on the Internet: <http://www.in.gov/legislative/interim/committee/cdac.html>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

V. COMMITTEE FINDINGS AND RECOMMENDATIONS³

The Committee made the following recommendations:⁴

The Committee recommends that the General Assembly enact PD 3045 concerning voter registration as presented to the Committee. The motion for this recommendation was adopted by voice vote with all members present voting in favor of the motion.

The Committee recommends that the General Assembly enact PD 3056 concerning miscellaneous changes in election law as presented to the Committee. The motion for this recommendation was adopted by voice vote with all members present voting in favor of the motion.

The Committee recommends that the General Assembly enact PD 3256 concerning precinct boundary changes as presented to the Committee. The motion for this recommendation was adopted by voice vote with all members present voting in favor of the motion.

The Committee recommends that the General Assembly enact PD 3258 concerning disbanding a candidate's committee as presented to the Committee. The motion for this recommendation was adopted by a show of hands with all members present voting in favor of the motion.

The Committee recommends that the General Assembly enact PD 3275 concerning technical election law amendments as presented to the Committee. The motion for this recommendation was adopted by voice vote with all members present voting in favor of the motion.

The Committee did not make recommendations concerning the topic assigned by the Legislative Council, the effectiveness of state election commission structure, or other issues discussed during the course of the Interim.

The Committee adopted this Annual Report, with all members present voting by voice vote in favor of the motion.

3. The following members were present for the votes for recommendations described below: Senator Lawson (Chair), Senator Breaux, Senator Craycraft, Representative Behning, Representative Kromkowski, Representative Mahern, and Representative Richardson.

4. For copies of the Preliminary Drafts, please see the exhibits to the Minutes of the Committee's October 19 meeting.

WITNESS LIST

Cody Kendall	Co-General Counsel, Indiana Election Division
J. Bradley King	Co-Executive Director, Indiana Election Division
Cathy McCully	Chief of the Census Redistricting Data Office of the U.S. Census Bureau
Al Pfieffer	Chief, Local Geographic Partnership Branch, U.S. Census Bureau.
Linda Phillips	Tippecanoe County Circuit Court Clerk; Indiana Association of County Clerks
Kristi Robertson	Co-Executive Director, Indiana Election Division
Carol Rogers	Information Services Director, Indiana Business Research Center, Indiana University Kelley School of Business
Dale Simmons	Co-General Counsel, Indiana Election Division
Julia Vaughn	Common Cause of Indiana